

## **Public Notice**

U.S. Army Corps of Engineers, Norfolk District

June 22, 2005

CENAO-TS-REG 05-V0955-40

## FEDERAL PUBLIC NOTICE

The District Engineer has received a joint permit application as described below:

## APPLICANT

Metropolitan Washington Airports Authority Washington Dulles International Airport Attn: Mr. Christopher U. Browne PO Box 17045 Washington, DC 20041-0045

<u>WATERWAY AND LOCATION OF THE PROPOSED WORK:</u> The project is located on the Washington Dulles International Airport property in Loudoun and Fairfax Counties, Virginia. The work will occur in Stallion Branch, Cub Run, Cabin Branch and Sand Branch and their tributaries.

PROPOSED WORK AND PURPOSE: The project consists of the discharge of fill material into waters of the United States associated with the construction of improvements at Dulles Airport. The project is called New Runways, Terminal Facilities and Related Facilities at Washington Dulles International Airport. Approximately 145.1 acres of jurisdictional waters of the United States, comprised of 70.6 acres palustrine forested wetlands, 0.8 acre palustrine scrub shrub wetlands, 66.8 acres palustrine emergent wetlands, 2.27 acres ponds, and 51,031.1 linear feet of stream channels, will be filled by the proposed work. An additional 95.6 acres of jurisdictional waters of the United States, comprised of 44.3 acres palustrine forested wetlands, 2.7 acres palustrine scrub shrub wetlands, 40.1 acres palustrine emergent wetlands and 51,035.9 linear feet of stream channels, will be cleared. The work includes approximately two runways, terminals and associated infrastructure. Off-site mitigation is planned to compensate for impacts to wetlands and streams.

In addition to the required Department of the Army permit, the applicant must obtain a Virginia Water Protection Permit from the Virginia Department of Environmental Quality (DEQ) assuring that applicable laws and regulations pertaining to water quality are not violated. A vicinity map and project plans are attached. This public notice and the drawings can also be viewed at <a href="http://www.nao.usace.army.mil/Regulatory/PN/PN.html">http://www.nao.usace.army.mil/Regulatory/PN/PN.html</a>. The project is the subject of a Draft Environmental Impact Statement issued by the Federal Aviation Administration (the lead federal agency) in December 2004. It is anticipated that the Final Environmental Impact Statement will be issued in August 2005.

<u>AUTHORITY:</u> Permits are required pursuant to Sections 401 and 404 of the Clean Water Act (Public Law 95-217) and Title 62.1 of the Code of Virginia.

FEDERAL EVALUATION OF APPLICATION: The decision whether to issue a permit will be

based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits that reasonably may be expected from the proposal must be balanced against its reasonably foreseeable detriments. All of the proposal's relevant factors will be considered, including conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use classification, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The Environmental Protection Agency's "Guidelines for Specification of Disposal Sites for Dredged or Fill Material" will also be applied (Section 404(b)(1) of the Clean Water Act).

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Anyone may request a public hearing to consider this permit application by writing to the District Engineer within 30 days of the date of this notice, stating specific reasons for holding the public hearing. The District Engineer will then decide if a hearing should be held.

Preliminary review indicates that: (1) an environmental impact statement will be required. The FAA issued a Draft Environmental Impact Statement in December 2004 and anticipates issuing a Final Environmental Impact Statement in August 2005; (2) no species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) will be affected; and (3) known properties eligible for inclusion or included in the National Register of Historic Places are in or near the permit area and would likely be affected by the proposal. The FAA is the lead agency for the consultation process required by Section 106 of the National Historic Preservation Act. Additional information might change any of these findings.

<u>COMMENT PERIOD</u>: Comments on this project should be made in writing, addressed to the U.S. Army Corps of Engineers-Norfolk District, Northern Virginia Field Office, 18139 Triangle Plaza, Suite 213, Dumfries, VA 22026, and should be received by the close of business on July 22, 2005.

If you have any questions about this project or the permit process, please contact Mr. Ron Stouffer at 703-221-6967.

FOR THE DISTRICT ENGINEER:

Bruce F. Williams Chief, Northern Virginia Regulatory Section

**Enclosures** 



